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46. (NEW) A device as recited in claim 44 wherein said leak prevention comprises cap means.

REMARKS - General

The Examiner has identified the disclosure of eleven species in the application and has requested election of a single species if no generic claim is finally held to be allowable. The applicant hereby presents a new generic claim intended to read on a subset of the identified species.

Identification of those species upon which the new generic claim reads

A taxonomy of actuation methods has been identified in order to segregate species under separate genera and to develop respective generic claims. Of the various methods within this taxonomy, the method elected for characterizing the presently claimed invention comprises squeeze actuation in which squeezing force is the prime mover in dispensing skin treatment. Other methods in this taxonomy include use of pressurized fluids, energized pumps, and motors. Hence, squeezing a force-relaying mechanism or deformable surface is included in the claimed portion of this taxonomy, whereas squeezing the trigger of a pressurized container is not. By this reasoning, the following Examiner-identified species all dispense skin treatment as the direct result of applied squeezing force: the squeeze actuated dispenser, plunger actuated dispenser, pressure multiplying nozzle, siphon pump-based actuator, and the push-button actuator. Therefore, all these species are subordinate to the new generic claim 28 and are claimed in dependent claim fashion, accordingly. Also, claims directed to attachment means and packetized skin treatment material are drafted as claims dependent on this new generic claim. A second and final generic claim addresses the provision for leak prevention.

Conclusion

The Examiner's request for election of species has been addressed by drafting at least one new generic claim that covers an elected subset of the species identified by the Examiner.

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Very respectfully,



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Certificate of Facsimile Transmission. I certify that on the date below I will fax this paper to GAU 3761 of the U.S. Patent and Trademark Office at 703-872-9306.

Dec. 19, 2004

Date



Inventor Signature